

1 **PINNOCK & WAKEFIELD, A.P.C.**

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11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

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14 **OUTERBRIDGE ACCESS ASSOCIATION,
15 SUING ON BEHALF OF DIANE CROSS;
16 and DIANE CROSS, An Individual,**

17 **Plaintiffs,**

18 **v.**

19 **HOME DEPOT U.S.A., INC. d.b.a.
20 THE HOME DEPOT #6679; MIRA MESA
21 MARKETPLACE WEST, LLC; AND DOES 1
22 THROUGH 10, Inclusive,**

23 **Defendants.**

24 **Case No.: 08c0046 JM (JMA)**

25
26 **PLAINTIFFS' MEMORANDUM OF
27 POINTS AND AUTHORITIES IN
28 OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS SUPPLEMENTAL
STATE LAW CLAIMS**

29 **Date: March 21, 2008**

30 **Time: 1:30 P.M.**

31 **Judge: Honorable Jeffrey Miller**

32 **NO ORAL ARGUMENT UNLESS
33 REQUESTED BY COURT**

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35 **Plaintiffs hereby oppose Defendants' Motion To Dismiss
36 Supplemental State Law Claims on the ground that said Motion is
37 moot. Plaintiff has filed with this Honorable Court a Motion To
38 Amend Plaintiffs' Civil Complaint and has provided this Court**

1 with a [Proposed] First Amended Complaint that serves to address
2 all issues outlined within Defendants' moving papers. Within the
3 [Proposed] First Amended Complaint all state claims are removed
4 and shall be litigated by Plaintiffs concurrently with this
5 action in the Superior Court for the County of San Diego.

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7 Respectfully submitted:

8 **PINNOCK & WAKEFIELD, A.P.C.**

9 Dated: March 5, 2008

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11 Attorney for Plaintiffs
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